

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ERNIE HINES D/B/A COLORFUL MUSIC,

Plaintiff,

v.

BMG RIGHTS MANAGEMENT (US) LLC,
W CHAPPELL MUSIC CORP., SHAWN
CARTER p/k/a JAY-Z, TIMOTHY MOSLEY
p/k/a TIMBALAND, and ELGIN BAYLOR
LUMPKIN p/k/a GINUWINE,

Defendants.

CASE NO. 1:20-CV-03535-JPO

**DEFENDANTS' NOTICE OF MOTION
FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Local Rule 56.1 Statement of Undisputed Facts, Declaration of Dr. Lawrence Ferrara dated November 4, 2022 and supporting exhibit, Declaration of Pamela Burchette dated November 2, 2022 and supporting exhibits, Declaration of Jeremy Blietz dated November 3, 2022 and supporting exhibit, and Declaration of Jeffrey M. Movit dated November 4, 2022 and supporting exhibits, and all prior pleadings and proceedings herein, Defendants W Chappell Music Corp. d/b/a WC Music Corp. f/k/a WB Music Corp., Shawn Carter p/k/a Jay-Z, and Timothy Mosley p/k/a Timbaland, through their undersigned counsel, respectfully move this Court, at the United States District Court for the Southern District of New York, located at 40 Foley Square, New York, New York 10007, before the Honorable J. Paul Oetken, on a date and time to be scheduled by the Court, for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure, dismissing Plaintiff's copyright infringement claims in their entirety, with prejudice, and for such other further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 6.1(b) of the Local Rules for the Southern District of New York, answering papers, if any, are required to be served upon the undersigned within fourteen days of the service of this motion.

DATED: New York, New York
November 4, 2022

MITCHELL SILBERBERG & KNUPP LLP

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